

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROEL LEMUS GARCIA and DIANA GUZMAN

Defendant.

**8:16CR308**

**ORDER**

This matter is before the court on the defendant's unopposed Motion to Continue Trial [76]. Counsel is seeking additional time to receive and review the final evaluation report of the defendant's psychiatric evaluation. For good cause shown,

**IT IS ORDERED** that the defendant's unopposed Motion to Continue Trial [76] is granted as follows:

1. The jury trial, **as to both defendants**, now set for May 1, 2018, is continued to **June 12, 2018**.

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and June 12, 2018**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

Dated this 26<sup>th</sup> day of April, 2018.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge